road companies when their property is endangered by fire without any reward for same, and we feel that we are entitled to some consideration at their hands.

Numerously signed.

Senator Cofer offered a petition favoring Sunday laws pending, including fairs, shows and races in the prohibited classes, and also requiring railroads giving excursion rates on Sunday to make same rate on some week day.

Unanimous resolution of Waco Pastors' Association.

E. HIGHTOWER, Secretary.

ELEVENTH DAY.

Senate Chamber, Austin, Texas, Tuesday, January 26, 1909.

Senate met pursuant to adjournment, President Pro Tem. Terrell of Bowie presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan
Hudspeth.	Thomas.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
v	•

Absent.

Mayfield.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

PETITIONS AND MEMORIALS.

See Appendix for all petitions and memorials.

STANDING COMMITTEE REPORTS.

See Appendix for all standing committee reports.

BILLS AND RESOLUTIONS.

By Senator Holsey:

Senate bill No. 123, A bill to be entitled "An Act to amend Chapter 147, page 313 of the General Laws of the Thirtieth Legislature, which act sought here to be amended was an act to create in the Department of Agriculture of Texas a Bureau of Cotton Statistics; prescribing the duties of the Commissioner of Agriculture, the county clerks, public ginners, and prescribing penalties for the violation of this act, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Harper:

Senate bill No. 124, A bill to be entitled "An Act to regulate the procedure in the appellate courts of this State, and to provide for the filing of the original statement of facts as a part of the record on appeal and writ of error in all causes on appeal or writ of error, from all courts, both civil and criminal, with an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Perkins (by request):

Senate bill No. 125, A bill to be entitled "An Act to amend Articles 4717, 4718, 4730, 4730a and 4733 of the Civil Statutes."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Cofer:

Senate bill No. 126, A bill to be entitled "An Act to establish a chair of Homeopathic materia medica and therapeutics in the Galveston Medical Branch of the State University, and instructing the Board of Regents of the State University to engage a teacher identified with the Homeopathic school of medicine to teach this branch of medicine, and to set aside a room or rooms, and to furnish same for didactic and clinical lectures, and declaring an emergency."

Read first time, and referred to Committee on Public Health.

By Senator Harper:

Senate bill No. 127, A bill to be entitled "An Act to authorize and empower any party to any cause or his attorney of record, to print or typewrite, or cause to be printed or typewritten, the transcript of the record in any cause on appeal or writ of error, and requiring the clerk of the trial court to proof-

read and certify to the same, and providing for his compensation therefor."

Read first time, and referred to Judidiciary Committee No. 1.

BILLS SIGNED.

The Chair (President Pro Tem. Terrell) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House bill No. 210, "An Act to organize the Twenty-eighth Judicial District of the State of Texas, to fix the times for holding the terms of court therein, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

EXCUSED.

On motion of Senator Masterson, Senator Real was excused for non-attendance upon the Senate on yesterday, on account of important business.

SIMPLE RESOLUTIONS.

By Senator Weinert:

Whereas, Judge V. W. Grubbs, the recognized father of the College of Industrial Arts for Girls, and leader of the industrial education movement in Texas, has announced his purpose to write the industrial history of Texas, making special feature of the lives of the pioneers and heroes of our industrial life; and

Whereas, Such a book would be a most valuable contribution to the current literature of our State and an inspiration to the youth to follow in their footsteps; therefore, be it

Resolved, That we fully endorse and approve said purpose and that we urge the people of Texas to co-operate with him in the preparation of said book by furnishing him such material as they may have for the same.

The resolution was read, and adopted.

By Senator Brachfield:

Whereas, Mr. Martyn Elliott of the city of Austin made the large block picture of the members and employes of the Senate of the Twenty-ninth and Thirtieth Legislatures, and put the frame and glass on the same without any cost to either the Senate or the members; and

Whereas, The said Martyn Elliott has

Senate of this, the Thirty-first Legislature, a large block picture the same size and grade as the ones now in the Senate Chamber of the Twenty-ninth and Thirtieth sessions of the Senate, and to frame and put glass on the same; and in addition, to furnish each member with a small block picture of every member of the Senate, all without any cost to the members of the Senate or employes thereof; therefore, be it

Resolved, That the said Martyn Elliott be authorized to make said picture and to place the same on the wall of the Senate.

The resolution was read, and adopted.

By Senator Cofer:

Resolved by the Senate, That the thanks of the Senate should be, and are hereby extended to the business men and citizens of the city of Austin who so gracefully and graciously entertained the Legislature at the banquet at the Driskill Hotel on Friday, January 22, 1909.

> COFER, HUME.

The resolution was read, and adopted by a rising vote.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives, Austin, Texas, January 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am'directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 74, A bill to be entitled "An Act to grant a new charter to the city of Austin, Travis county, Texas, and declaring an emergency; with amendments."

Respectfully, BOB BARKER, Chief Clerk, House of Representatives.

INVITATION TO ATTEND ENTER-TAINMENT.

Here Senator Peeler extended an invitation to the members of the Senate and their families and officers of the Senate and their families to attend a tea given by the ladies of the Country Club tomorrow afternoon from 3 to 6 o'clock.

Senator Masterson moved that the signified his willingness to make for the Senate accept the invitation and to thank the ladies of the club for the courtesy so extended.

The acceptance was unanimous.

SENATE BILL NO. 103.

On motion of Senator Veale, the pending order of business (Senate Joint Resolution No. 1) was suspended, and the Senate took up out of its order Senate bill No. 103, by the following vote:

Yeas-28.

Peeler. Adams. Bryan. Perkins. Cofer. Real. Greer. Senter. Harper. Stokes. Hayter. Sturgeon. Holsey. Terrell of Bowie. Hudspeth. Terrell of McLennan. Hume. Thomas. Kellie. Veale. Masterson. Ward. Meachum. Watson. Murray. Weinert. Paulus. Willacy.

Absent.

Alexander. Brachfield.

Mayfield.

The Chair laid before the Senate, on

its second reading,

Senate bill No. 103, A bill to be entitled "An Act to amend Article 548, Chapter 9, Title 18 of the Revised Statutes of the State of Texas, providing for the condemnation by incorporated cities and towns of private property for the purpose of widening streets, avenues or alleys, or for the construction of water mains, supply reservoirs or a standpipe for waterworks or sewers, etc.; to repeal all laws in conflict herewith, and declaring an emergency."

(Senator Hudspeth in the chair.)
Bill read second time, and ordered en-

grossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams. Hume.
Brachfield. Kellie.
Bryan. Meachum.
Cofer. Murray.
Greer. Paulus.
Hayter. Peeler.
Hudspeth. Perkins.

Real. Veale.
Senter. Ward.
Stokes. Watson.
Sturgeon. Weinert.
Terrell of Bowie. Willacy.
Thomas.

Absent.

Alexander. Masterson.
Harper. Mayfield.
Holsey. Terrell of Mc

Terrell of McLennan.

The bill was read third time, and passed by the following vote:

Yeas-28.

Paulus. Adams. Brachfield. Peeler. Bryan. Perkins. Cofer. Real. Greer. Senter. Harper. Stokes. Hayter. Sturgeon. Holsey. Terrell of Bowie. Terrell of McLennan. Hudspeth. Hume. Veale. Kellie. Ward. Masterson. Watson. Meachum. Weinert. Willacy. Murray.

Absent.

Alexander. Mayfield.

Thomas.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed. (President Pro Tem. Terrell in the chair.)

SENATE JOINT RESOLUTION NO. 1.

The Chair then laid before the Senate, as pending business,

Senate Joint Resolution No. 1, being a resolution to amend Article 16 of the Constitution of the State of Texas, by adding thereto Section 58, when a majority of the qualified electors for members of the Legislature of Texas at an election for that purpose shall vote in favor of the amendment.

Pending.

SENATE BILL NO. 67.

Pending discussion on the above resolution,

On motion of Senator Bryan, the pending order of business (Senate Joint Resolution No. 1) was suspended, and the Senate took up, out of its order, Senate bill No. 67, by the following vote:

Yeas-23.

Peeler. Adams. Bryan. Perkins. Cofer. Real. Greer. Senter.

Hayter. Terrell of Bowie. Hudspeth. Terrell of

Hume. McLennan. Kellie. Thomas. Masterson. Veale. Meachum. Ward. Watson. Murray. Paulus. Weinert.

Nays-4.

Brachfield. Holsey. Harper. Sturgeon.

Absent.

Alexander. Stokes. Mayfield. Willacy.

The Chair laid before the Senate, on

second reading

Senate bill No. 67, A bill to be entitled "An Act to be entitled 'An Act to reorganize the Thirty-second, Sixty-third, Thirty-fourth and Thirty-ninth Judicial Districts,' and to create the Sixty-eighth Judicial District of Texas.

The committee report, with amendments, was adopted.

Senator Hudspeth offered the following substitute for the bill:

S. S. Bill No. 67.

By Hudspeth.

A BILL

To Be Entitled

"An Act to reorganize the Thirty-second Judicial District of Texas, the Thirtyfourth Judicial District and to create the Sixty-eighth Judicial District in the State of Texas, and to fix the time of holding the court in each of said districts; to provide for the appointment of a district judge and a district attorney for the Sixty-eighth Judicial District and to provide for the return of all process to each of the counties in each of said districts; to provide for the attachment of certain unorganized counties in said district to certain organized counties in said district for judicial and all other purposes, and to repeal all laws or parts of laws in conflict herewith."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Thirty-second Judicial District be composed of the counties of Borden, Howard, Nolan, Marthe terms of court shall be held therein, in each year, as follows:

In the county of Borden on the first Monday in February and September, and may continue in session two weeks.

In the county of Howard on the second Monday after the first Monday in February and September, and may continue in session four weeks.

In the county of Nolan on the sixth Monday after the first Monday in February and September, and may continue in session four weeks.

In the county of Martin on the tenth Monday after the first Monday in February and September, and may continue in session three weeks.

In the county of Dawson on the thirteenth Monday after the first Monday in February and September, and may continue in session two weeks.

In the county of Mitchell on the fifteenth Monday after the first Monday in February and September, and may continue in session five weeks.

In the county of Garza on the twentieth Monday after the first Monday in February and September, and may continue in session one week.

Sec. 2. The Thirty-fourth Judicial District of Texas shall be composed of the county of El Paso, and the terms of court shall be held therein each year as follows:

On the first Monday in January, and may continue in session until the first Monday in March.

On the first Monday in March, and may continue in session until the first Monday in May.

On the first Monday in May, and may continue in session until the first Monday in July.

On the first Monday in September, and may continue in session until the first Monday in November.

On the first Monday in November, and may continue in session until the first

Monday in January.

The district courts of the Thirtyfourth and Forty-first Judicial Districts aforesaid in El Paso county, shall have concurrent jurisdiction with each other throughout the limits of said county of El Paso of all matters civil and criminal, of which jurisdiction is given to the district courts by the Constitution and laws of the State; provided, that the judge of the Forty-first Judicial District, shall never impanel a grand jury in said courts, but may at any time reconvene the grand jury impaneled by the judge of the Thirtyfourth Judicial District when, in his tin, Dawson, Mitchell and Garza and | judgment, a necessity therefor exists.

The district attorney of the Thirtyfourth Judicial District shall also represent the State in all criminal cases in the Forty-first Judicial District.

The clerk of the district court of El Paso county, as heretofore constituted, and his successor in office, shall be the clerk of both said district courts, in said El Paso county, and shall perform all the duties pertaining to the office of both district courts.

Either of the judges in said district courts in said El Paso county may, in his discretion, either in term time or vacation, transfer any cause or causes, civil or criminal, that may at any time be pending in his court to the other district court in said El Paso county by order or orders entered upon the minutes of said court, and when such transfers are made the clerk of said courts shall enter such cause or causes upon the docket of the court to which such transfer or transfers are made, and when so entered upon the docket the judge of said court shall try and dispose of said cause in the same manner as if said cause was originally filed in said court.

That all process, writs and bonds issued or executed prior to the taking effect of this act and returnable to the terms of said courts, as now fixed by law in the several counties composing said districts are hereby made returnable to the terms of said courts as fixed in this act; and all process heretofore returned, as well as all bonds and recognizances heretofore entered into, in any of the said courts shall be as valid as if no change had been made in the time of holding said courts.

Sec. 3. The Sixty-eighth Judicial District of Texas is hereby created and shall be composed of the following counties: Midland, Ector, Gaines, Glasscock, Reeves and Ward and the unorganized counties of Andrews, Crane, Loving, Winkler and Upton. And the terms of the district court shall be holden in the organized counties thereof each year as follows:

In the county of Midland on the first Monday in February and September, and may continue in session four weeks.

In the county of Ector on the fourth Monday after the first Monday in February and September, and may continue in session three weeks.

In the county of Gaines on the seventh Monday after the first Monday in February and September, and may continue in session two weeks.

In the county of Glasscock on the

February and September, and may continue in session two weeks.

In the county of Reeves on the eleventh Monday after the first Monday in February and September, and may continue in session four weeks.

In the county of Ward on the fifteenth Monday after the first Monday in February and September, and may continue in session four weeks.

The unorganized county of Crane is hereby attached to Ector county for judicial and other purposes, and the unorganized counties of Andrews and Upton are hereby attached to Midland county for judicial and all other purposes, and the unorganized counties of Loving and Winkler are hereby attached to Reeves county for judicial and all other purposes.

The district judges and the Sec. 5. district attorneys of the Thirty-second Judicial District and the Thirty-fourth Judicial District herein mentioned elected, and now serving for said districts, shall hold their respective offices until the time for which they have been elected shall expire, and their successors are duly elected and qualified.

The Governor, immediately upon the taking effect of this act, shall appoint a suitable person for district judge of the Sixty-eighth Judicial District and a suitable person district attorney of the Sixty-eighth Judicial District, each of whom shall hold their offices until the next general election and until their successors are elected and qualified.

Sec. 7. That all process issued or served before this act goes into effect including recognizances and bonds, returnable to the district court of any of said counties in any of said judicial districts shall be considered as returnable to said courts in accordance with the terms as prescribed by this act, and all such process is hereby legalized, and all grand and petit juries, drawn and selected under existing laws, in any of the counties in said judicial district shall be considered lawfully drawn and selected for the next terms of the district court for their respective counties, held in accordance with this act, and after this act takes effect, all such process is hereby legalized and validated; provided, that if any court in any county of any said judicial district shall be in session at the time this act takes effect, such court or courts affected hereby shall continue in session until the term thereof shall expire under the provisions ninth Monday after the first Monday in of existing laws. Thereafter the courts of said county or counties shall conform to the requirements of this act.

Sec. 8. That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Sec. 9. The rapid settlement of the counties mentioned in this act and the crowded condition of the dockets of the district courts of the various counties in said judicial districts, and the want of time for the disposing of the business of the district courts of said counties, creates an imperative public necessity and an emergency exists requiring bills to be read on three several days, therefore said constitutional rule is suspended and this act is put on its third reading and final passage and shall take effect from and after its passage, and it is so enacted.

The substitute bill was adopted.

Pending discussion on the above measure,

Senator Harper moved that this bill and a like bill, by Senator Veale, be referred to a special committee of five Senators, to be appointed by the Chair, for further investigation as to the needs of such measure.

Senator Bryan made the point of order that the bill had already been acted on by a committee.

The point of order was overruled.

Senator Senter made a further point of order that the committee report had been adopted, and that if the bill was to be re-referred, it would be necessary to rescind the action by which the committee report was adopted.

The Chair (President Pro Tem. Terrell) overruled the point of order, stating that the bill was in the hands of the Senate, and was subject to their control.

SENATE BILL NO. 74 — HOUSE AMENDMENTS CONCURRED IN.

Senator Peeler here called up, as a privilege matter,

Senate bill No. 74, "The Austin Charter Bill," and moved that the Senate concur in the following House amendments:

Amend Section 2 of "General Provisions" to read as follows:

"Section 2. All rules, regulations and ordinances of the city or of the city council and other departments of the city, which shall be in force when this act takes effect, and which are not in conflict herewith, shall remain in the following vote:

full force and effect until amended, altered or repealed by the city council, and the mayor, city council and all other officers of the city at the time this act takes effect shall remain in office until a mayor and city council are elected and qualified under this act, and the officers of the city at the time this act takes effect shall exercise their rights and perform their duties in the manner prescribed by the present charter of the city; provided, however, it shall be the duty of such officers to order and provide for the holding of the first primary election for the nomination of candidates for mayor and councilmen and for the holding of the first general municipal election for the election of mayor and councilmen in accordance with and under the provisions of this act, and to this end it shall be the duty of the present city clerk to secure from the tax collector of Travis county, Texas, a certified list of the names of the qualified voters of the city of Austin as prescribed by this act, and the failure or refusal of any city clerk to secure said list by the first day of March of each year shall authorize any qualified voter of the city of Austin to obtain the same at the cost of the city."

Amend Section 17 of "General Provisions" to read as follows:

"Section 17. All laws and parts of laws which are in conflict with this act are hereby repealed, but all laws and parts of laws pertaining to the city of Austin, not in conflict with this act, are hereby expressly reserved and retained in force. But it is hereby enacted that the board designated and known as the Austin Water, Light and Power Commission of the city of Austin is abolished, and all of its rights powers and duties shall vest in and be exercised by the city council of the city of Austin, and all rules and regulations of the Austin Water, Light and Power Commission of the city of Austin shall remain in full force until amended, altered or repealed by the city council elected under this act, and said board of commissioners shall remain in office until a city council is elected and qualified under this act; and the city of Austin shall be and remain liable for all debts, liabilities and causes of action of whatever character of the said Austin Water, Light and Power Commission of the city of Austin."

The motion to concur prevailed by the following vote:

Yeas-27.

Adams. Paulus. Peeler. Brachfield. Bryan. Perkins. Cofer. Real. Greer. Senter. Harper. Sturgeon. Terrell of Bowie. Hayter. Terrell of Holsey. Hudspeth. McLennan. Hume. Thomas. Kellie. Ward. Masterson. Watson. Meachum. Weinert. Murray. Willacy.

Absent.

Alexander. Mayfield.

Stokes. Veale.

Senator Peeler moved to reconsider the vote by which the Senate concurred in the House amendments, and lay that motion on the table.

The motion to table prevailed.

SUBSTITUTE SENATE BILL NO. 67.

Action here recurred on Substitute Senate bill No. 67, the question being on the motion by Senator Harper to recommit the bill to a special commit-

Pending further discussion,

Senator Harper amended his motion by requesting the committee to report as early as possible.

The motion was lost by the following vote:

Yeas—11.

Alexander. Brachfield. Cofer.

Holsey. Meachum. Sturgeon.

Greer. Harper. Terrell of Bowie. Willacy.

Hayter.

Nays-14.

Adams. Bryan. Hudspeth. Hume.

Perkins. Real. Senter.

Murray. Paulus. Peeler.

Terrell of McLennan. Veale. Ward.

Absent.

Kellie. Masterson. Mayfield.

Stokes. Thomas. Weinert.

Watson.

Bill read second time, and ordered engrossed.

Senator Hudspeth moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following

Yeas-19.

Adams. Alexander. Bryan. Cofer. Hayter. Hudspeth.

Hume.

Real. Senter. Sturgeon.

Terrell of Bowie.

Terrell of

McLennan. Veale.

Paulus. Ward. Peeler. Watson. Perkins. Willacy.

Nays-6.

Brachfield. Greer. Harper.

Holsey. Meachum. Murray.

Absent.

Kellie. Masterson. Mayfield.

Stokes. Thomas. Weinert.

SENATE BILL NO. 66.

Senator Terrell of McLennan moved that the pending order of business (Senate Joint Resolution No. 1) be suspended, for the purpose of considering Senate bill No. 66.

The motion prevailed by the following vote:

Yeas-24.

Adams. Alexander. Brachfield. Bryan. Cofer. Greer. Harper. Hayter.

Paulus. Peeler. Perkins. Real. Senter. Sturgeon.

Terrell of Bowie. Terrell of McLennan.

Hudspeth. Veale. Ward. Hume. Meachum. Watson. Willacy. Murray.

Absent.

Holsey. Kellie. Masterson. Mayfield.

Stokes. Thomas. Weinert.

Senator Terrell of McLennan then moved to rescind the vote by which Senate bill No. 66, "Waco Charter Bill," was finally passed by the Senate.

The motion to rescind prevailed. The Chair then laid before the Sen-

ate, on third reading,

"Waco Charter Senate bill No. 66, Bill."

Senator Terrell of McLennan then moved that the bill be laid on the table subject to call.

The motion prevailed.

ADJOURNMENT.

On motion of Senator Veale, the Senate, at 1:35 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, January 25, 1909.

Hon. A. B. Davidson, President of the Senate.

Public Sir: Your Committee on Printing, to whom was referred

House Concurrent Resolution No. 3, To provide for a change in the form of bills for the House of Representatives,

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass, and be not printed.

PERKINS, Chairman.

(Floor Report.)

Austin, Texas, January 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Public Lands and Land Office to whom was referred

Senate bill No. 22, A bill to be entitled "An Act authorizing the United States to acquire title to land on Galveston Island and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Murray, Chairman; Willacy, Bryan, Hudspeth, Real, Kellie, Hayter, Harper, Adams, Veale.

> Committee Room, Austin, Texas, January 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

"An Act to better regulate the assessment and collection of taxes in cities and towns which have heretofore abolished, or may hereafter abolish, their corporate existence,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with the follow-

ing amendment:

Amend by adding to the end of Sec-"Provided, that tion 1 the following: this act shall not repeal any part of Section 2 of the original act approved April 17, 1905, and being Chapter 134 of the Acts of the Twenty-ninth Legislature."

WILLACY, Chairman.

Committee Room,

Austin, Texas, January 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

Senate bill No. 115, A bill to be entitled "An Act to provide additional compensation to all judges in the district courts of this State by allowing compensation for actual necessary traveling expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with the follow-

ing amendment:

Amend the bill by striking out the "Not to exceed the following words: sum of \$2.00 per day for hotel bills, and," and amend the bill by adding at the end of Section 1 the following: "Provided, the provisions of this act shall apply only to districts containing four counties or more."

WILLACY, Chairman.

Committee Room,

Austin, Texas, January 26, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

Senate bill No. 90, A bill to be entitled "An Act to amend Article 2439, of Chapter 1, of Title 45, of the Revised Statutes of the State of Texas of 1895, in reference to fees of office to be charged and collected by certain State officers, as amended by Chapter 91 of the Gen-Senate bill No. 3, A bill to be entitled | eral Laws of the Regular Session of the

Twenty-ninth Legislature, as amended by Chapter 22 of the General Laws of the First Called Session of the Thirtieth Legislature, so as to provide a maximum permit fee to be charged foreign corporations organized for the purpose of lending money, and declaring an emergency,

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

Committee Room, Austin, Texas, January 26, 1909.

Hon, A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and com-

Senate bill No. 103, A bill to be entitled "An Act to amend Article 548, Chapter 9, Title 18, of the Revised Statutes of the State of Texas, providing for the condemnation by incorporated cities and towns of private property for the purpose of widening streets, avenues or alleys, or for the construction of water mains, supply reservoirs or a standpipe for waterworks or sewers, etc., and providing for the condemnation by such cities or towns of private property in, on and through which to lay, construct and maintain sewer pipes, mains and laterals and connections, and upon which to maintain vats, filteration pipes and other pipes, and which to use and occupy as a place for the ultimate disposition of sewage, in or out of the town or city limits, whenever it be made to appear that the use of such private property is necessary for the successful operation of such sewer system, and whenever it be made to appear that such sewer system is beneficial to the public use, health or convenience; to repeal all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed. WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Veale:

We, the undersigned citizens of Dalhart, Texas, believing a State training school for children to be a necessity for reclaiming incorrigibles, endorse the bill providing for such an institution, as prepared by joint committees from the County Judges and Commissioners' Association of Texas and the Texas Fed- drug bill, being Senate bill No. 9.

eration of Women's Clubs, and hereby request our legislators to give the bill their immediate support.

Numerously signed.

Senator Weinert offered a petition by G. T. Gray, W. C. Jennings and 200 other citizens of Gonzales county against the passing of the bill known as the itinerant vendors' bill.

Also a petition by S. Woodal and twenty other citizens of Hays county, opposing the passage of a measure known as the guarantee of bank deposits.

By Senator Cofer:

Denison, Texas, January 25, 1909. Hon. R. E. Cofer, State Senator, Austin, Texas:

We regard deposit guarantee measure with disfavor, as class legislation, and tending to encourage unworthy competition. We respectfully request you as our representative to use your influence against the measure, and to vote against it.

Numerously signed.

Also the following:

Van Alstyne, Texas, January 25, 1909. R. E. Cofer, State Senator, Austin, Texas:

We strongly urge you to oppose any form of bank guaranty deposit law.

Signed—R. L. Bowen, J. Umphress, J. C. Umphress, D. S. Thompson, R. M. Cannon, Louis Garver, T. P. Howell and L. Umphress.

By Senator Harper:

Whereas, There is a movement on foot to repeal the anti-bucketshop law in Texas: therefore, be it

Resolved by Big Rock Local, That we enter our protest against the repeal of said law.

Resolved further, That we are opposed to the public weigher bill introduced by Representative Brookshire.

Resolved further, That a copy of these resolutions be sent to our State Senator, C. C. Stokes, and Representative J. J. Strickland, asking them to vote against

Signed-W. H. Auld, President; W. I. Harris, Secretary-Treasurer Big Rock Local No. 3689, Anderson County, Texas.

Also, petition of 588 citizens of Limestone county against bill known as the Senator Terrell of McLennan offered a petition of J. J. Reeves and 100 others of Waco, urging the passage of the Mayfield-Meachum bill, prohibiting pool selling, book making and wagering on horse races.

Also, a petition of J. W. Perry and twenty-eight others of Rockdale, urging the passage of the Mayfield-Meachum bill, prohibiting pool selling, book making and wagering on horse races.

Senator Perkins offered the following petitions:

Farmersville, Texas, January 19, 1909. Hon. Tom W. Perkins, Senator, Austin, Texas.

Dear Sir: We, the citizens of Collin county, Texas, hereby petition your honor to use your influence for the reduction of license for retail, traveling agents for proprietary medicines. We have an agent here and he is doing good to the people by supplying them with remedies that they could not otherwise get. The bill to increase license we regard as very unjust, and we believe the amount should be reduced to \$100 per annum.

Signed—L. L. Miller, Jim P. Haislip and 103 other Collin county citizens.

Celina, Texas, January 21, 1909. Hon. Tom W. Perkins, Senator, Austin, Texas.

Dear Sir: No doubt you have received a petition asking for your support on the bank deposit guaranty bill, as well as the one asking you to vote against it. Now, it is an easy matter, of course, to get up a petition, but we think the majority of thinking business people at this place do not favor such a law. Our opponents are interested in a small State bank, and for this reason they think it will give them additional strength.

We think every citizen in this State is entitled to equal protection, and to guarantee State banks and not guarantee national banks, would violate this principle.

We believe the guarantee proposition would create reckless banking, to some extent, for the reason we have an example of such in our sister State—Oklahoma.

Signed—W. M. Doyle, John T. Buchanan, S. E. Bateman, George McWhorten, J. C. Ousley, Ben F. Smith, M. Button and W. L. Newsom.

Senator Cofer offered a petition in favor of submission as the paramount question before the Legislature, and in favor of rule of the people.

Numerously signed by citizens of Southmayd, Grayson county, Texas.

Senator Adams offered the following petition, numerously signed by citizens of his district:

We, the undersigned customers of the J. R. Watkins Medical Co. of Winona, Minn., represented in Mills county by John A. Tackett, earnestly request that you vigorously oppose the druggists' bill as unfair and un-American. That we are fully satisfied with the Watkins plan of selling direct to us and giving us a better quality and fresher goods at the regular price of goods of like nature bought elsewhere. That he is an honorable man, contributes as much to the upbuilding of our county, and pays as much taxes as any of the druggists who are opposing him in trying to have this unfair tax passed. That if you repeal the present tax and make it \$100 instead of \$150, it will be more fair and equitable.

Senator Adams also offered the following numerously signed petition:

Coleman, Texas, January 25, 1909. Senator W. N. Adams, Austin, Texas:

We, the undersigned citizens of your district, respectfully and earnestly urge you to vote for and give your support to the passage of the Mayfield-Meachum bill, prohibiting pool selling, book making and wagering on horse races.

Senator Murray offered a protest of T. M. Brown and forty others who are not bankers, but Democrats, against the bank deposit law.

Also, a protest against the guarantee law from citizens of Aransas county.

Senator Adams offered the following numerously signed petition:

We, the undersigned citizens of Gold-thwaite, Mills county, Texas, believing a State training school for children to be a necessity for reclaiming incorrigibles, endorse the bill providing for such an institution, as prepared by joint committees from the County Judges and Commissioners' Association of Texas and the Texas Federation of Women's Clubs, and hereby request our legislators to give the bill their immediate support.

Senator Holsey offered a petition protesting against the passage of the Hayter drug bill. The petition was numerously signed.

Senator Sturgeon offered a like petition from citizens of his district.

TWELFTH DAY.

• Senate Chamber, Austin, Texas, Wednesday, January 27, 1909.

Senate met pursuant to adjournment, President Pro Tem. Terrell of Bowie presiding.

Roll call, quorum present, the following Senators answering to their names:

Paulus. Alexander. Peeler. Brachfield. Perkins. Bryan. Real. Cofer. Senter. Greer. Stokes. Harper. Sturgeon. Terrell of Bowie. Hayter. Terrell of Holsey. McLennan. Hudspeth. Hume. Thomas. Veale. Kellie. Masterson. Ward. Watson. Mayfield. Weinert. Meachum. Murray. Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

EXCUSED.

On motion of Senator Watson, Senator Mayfield was excused for nonattendance upon the Senate on yesterday on account of important business.

BILLS AND RESOLUTIONS.

By Senator Harper (by request):

Senate bill No. 128, A bill to be entitled "An Act to amend Article 4833, Chapter 1, Title 98, of the Revised Civil Statutes of the State of Texas, relating to the annual salary of the Superintendent of Public Buildings and Grounds, and fixing the same at \$2500 per annum."

Read first time, and referred to Finance Committee.

By Senators Bryan and Hudspeth (by request):

Senate bill No. 129, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1900, and which have failed or are about to fail to construct their roads and branches or any part thereof, within the time prescribed by law, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Watson:

Senate bill No. 130. A bill to be entitled "An Act providing for the appointment of official shorthand reporters for aistrict courts by the judges thereof to report cases; providing for the time and method of making and filing typewritten transcripts of such reports; providing for the time and method of making and filing statements of facts and bills of exceptions on appeals; providing for the qualifications, duties and compensation of such official shorthand reporters; repealing Chapter 24, page 509, Acts of the First Called Session of the Thirtieth Legislature of the State of Texas, and all other laws or parts of laws in conflict with this act, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hudspeth:

Senate bill No. 131, A bill to be entitled "An Act to amend Article 4759, Chapter 5, Title 97, of the Revised Statutes; providing for the manner in which the road and bridge funds of the several counties shall be expended."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 132, A bill to be entitled "An Act authorizing any county in the State of Texas having a population in excess of 50,000 inhabitants by the last preceding United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Hume:

Senate Concurrent Resolution No. 6: Resolved by the Senate, the House con-